

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
DANYELL THOMAS, RASHAUN F. FRAZER, :
ANDRAE WHALEY, ELENI MIGLIS, CHERYL :
A. STRYCHARZ, and DANIELLE BROWN, :
individually and on behalf of all other employees
similarly situated

Plaintiffs

v.

Civil Action No. 16-cv-8160

BED BATH AND BEYOND, INC.

Defendant.
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DECLARATION OF TINA SUOJANEN

I, Tina Suojanen, based on my personal knowledge of the facts stated herein, testify by
Declaration as follows:

1. I am over the age of 18 and am otherwise competent to testify to the matters
contained in this Declaration, and if so called, would testify to the facts below.

2. All of the statements in this Declaration are true and accurate to the best of my
knowledge.

3. The facts set forth in this Declaration are based on my own personal knowledge.

4. I became employed by Bed Bath and Beyond Inc. ("BBB") in 1989 as a Cashier.
Over the years I have held numerous positions with the Company. In 2015, I became the Vice
President of Human Resources Operations which is my current role.

5. In my current capacity as Vice President of Human Resources Operations, I am
responsible for supporting the field Human Resources personnel in associate relations and
Human Resources services.

6. BBB employs over 45,000 employees across approximately 1,000 stores throughout all fifty (50) states.

7. BBB organizes its stores by region. There are seven (7) Regions covering various parts of the country: (i) Canada-Northwest; (ii) Central; (iii) Mid-Atlantic; (iv) Midwest; (v) Northeast; (vi) Southeast; and (vii) West.

8. Each of the seven (7) Regions is overseen by a Regional Vice President. Reporting to the Regional Vice President is a Regional Manager.

9. Each of the seven (7) Regions also has its own Human Resources function overseen by a Regional Human Resources Director, except for the Northeast Region which has two (2) Regional Human Resources Directors. Reporting to the Regional Human Resources Director are Regional Human Resources Managers.

10. The seven (7) Regions are further divided into 100 different Districts. In general, each District has a District Manager, who reports to the Regional Manager. Typically, each District also has a District Human Resources Manager, who also reports to the District Manager with oversight by the Regional Human Resources Manager.

11. The Northeast Region has fifteen (15) Districts and encompasses stores in Connecticut, Maine, New Hampshire, New York, Rhode Island, Massachusetts, Vermont, and three (3) stores in New Jersey. The remaining 35 New Jersey stores are in the Mid-Atlantic Region.

12. Of the fifteen (15) Districts in the Northeast Region, New York City is its own District. Unlike other Districts, the New York City District has its own separate Regional Human Resources Director and effectively functions as its own Region. There are seven (7) stores in the New York City District.

13. In addition to the New York City District, the State of New York has eight (8) other Districts, for a total of nine (9) Districts in New York, all with their own District Managers.

14. There are 63 total stores in the State of New York across the nine (9) Districts, which employ approximately 3,500 employees.

15. New Jersey has five (5) Districts, one (1) in the Northeast Region and four (4) in the Mid-Atlantic Region. There are 38 total stores in the State of New Jersey across these five (5) Districts.

16. There are four (4) Districts in Connecticut, all of which are in the Northeast Region. Across these four (4) Districts, there are 18 total Connecticut stores.

17. There are 119 stores across the tri-state area, which employ approximately 6,100 employees.

18. BBB differentiates between its stores by, among other things, sales volume.

19. One of the Company's highest volume stores is Store 42, which is in the Chelsea neighborhood of New York City. Store 42 employs approximately 327 employees, including approximately twelve (12) Assistant Store Managers and approximately eighteen (18) Department Managers. The number of employees varies from time to time based on hiring or attrition.

20. Other very high volume stores in the tri-state area (which include Store 361 in New York City) range in size from 24,000 square feet to 90,000 square feet and employ on average approximately 85 employees. Typically, a very high volume store has anywhere from three (3) to nine (9) Assistant Store Managers, three (3) to 17 Department Managers, and 45 to 150 hourly associates.

21. High volume stores in the tri-state area range in size from 24,000 square feet to 51,000 square feet and employ anywhere from 35 to 60 employees, typically with approximately three (3) or four (4) Assistant Store Managers and typically with approximately one (1) to four (4) Department Managers.

22. Mid volume stores in the tri-state area range in size from 18,000 square feet to 41,000 square feet and employ anywhere from 20 to 55 employees, typically with approximately one (1) to three (3) Assistant Store Managers and typically with approximately zero to two (2) Department Managers.

23. Low volume stores in the tri-state area range in size from 18,000 to 26,000 square feet and typically employ approximately 15 to 25 employees, with one (1) or two (2) Assistant Store Managers and zero or (1) Department Manager.

24. Of the 119 stores in the tri-state area, there are 35 very high volume stores, 25 high volume stores, 41 mid volume stores, and 18 low volume stores.

25. Of the 63 stores in the State of New York, there are 21 very high volume stores, 10 high volume stores, 18 mid volume stores, and 14 low volume stores.

26. For the seven (7) stores in the New York City district, five (5) are very high volume (including the highest volume store in the Company) and two are mid volume. There are no low volume stores in the New York City district.

27. BBB's stores each vary in size, operation, and number of employees. The variances between stores are due to, among other things, regional variations, sales volume, and the local competitive environment.

28. Each store has a Store Manager, who is responsible for the operation of the entire store.

29. BBB has a decentralized structure. Local management (including Store Managers) possess a high level of independence and autonomy in how they run their stores.

30. BBB encourages local management and Store Managers to focus on changing trends in their geographic area and to tailor their stores' merchandise mix to the needs of the local customers.

31. Reporting to the Store Managers are Assistant Store Managers. The Company has two different types of Assistant Store Managers: Operations Managers and Merchandise Assistant Managers. Assistant Store Managers are exempt from overtime and paid an annual salary.

32. The job requirements for both Operations Managers and Merchandise Assistant Managers include: (i) directing the daily activities of Department Managers and hourly associates; (ii) training and development of staff; (iii) participating in interviewing and hiring of hourly associates; and (iv) counseling, disciplining, and assisting in terminations.

33. In addition to their general responsibilities described above, Operations Managers are also responsible for: (i) ensuring that area of the store where customers' purchases are transacted (referred to as the "front end") is operating according to proper procedures through management of staff; (ii) ensuring that the area of the store where merchandise is received and shipped out of (referred to as the "back end") is operating according to proper procedures through management of staff; (iii) performing and/or overseeing new hire associate orientations; (iv) processing of new hire/benefits paperwork; and (v) scheduling associates' shifts within the store.

34. In addition to their general responsibilities described above, Merchandise Assistant Managers are also responsible for the hourly associates who work on the store floor in

the various departments. At any given time, the number of hourly associates working on the floor can range from two (2) to approximately 120, depending on the size of the store.

35. Both Operations Managers and Merchandise Assistant Managers are expected to do primarily exempt work. The duties and responsibilities required of Assistant Store Managers vary as a result of a number of factors, including store volume and staffing.

36. Upon a preliminary review, BBB believes there are approximately 400 putative class members in the Assistant Store Manager class across the 63 stores across New York.

37. Attached hereto as Exhibit 1 is a true and accurate copy of a table showing the stores in which the Assistant Store Manager Plaintiffs who submitted declarations worked in during the relevant time period compared to all other stores in the State of New York.

38. Below the Assistant Store Manager position are Department Managers. Department Managers are responsible for overseeing a specific department or area of the store. There are different types of Department Managers, which correspond to departments in the store. The different types of Department Managers include, among others, Customer Service Managers, Front End Managers, Receiving Managers, Freight Managers, Hardside Managers, and Softside Managers. Certain stores also have Department Managers of specialty departments such as Wedding, Fine China, or Gourmet Foods departments.

39. All Department Managers are classified as non-exempt employees and are paid overtime for all hours worked over 40.

40. Prior to the period in or around March 2015, Department Managers in New York, New Jersey, and Connecticut were compensated pursuant to the Fluctuating Workweek methodology (“FWW”). The FWW is also referred to as “coefficient” overtime pay.

41. Upon preliminary review of the number of potential class members for the Department Manager class during the relevant time period, there were approximately 58 Department Managers in Connecticut, 205 Department Managers in New Jersey, and 348 Department Managers in New York, approximately 150 of which were in New York City stores.

42. Attached hereto as Exhibit 2 is a true and accurate copy of a table showing the stores in which the Department Manager Plaintiffs who submitted declarations worked in during the relevant time period compared to all other stores in the tri-state area of New York, Connecticut, and New Jersey.

43. Today, the Company employs approximately 1,400 Department Managers.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2 day of August 2017.

By: 

Tina Suojanen

Vice President, Human Resources Operations
Bed Bath and Beyond Inc.

EXHIBIT 1

Stores at which the ASM Declarants Worked During the Relevant Time Period ¹	Stores where the ASM Plaintiffs did not work and for which they Fail to Provide Any Evidence from During the Relevant Time Period, but where they Seek to have <u>Notice Sent</u>
<i>Store 2 – Lawrence, New York</i> Number of ASMS: 3 Number of DMs: 2 Number of Associates: 38	<i>Store 3 – Huntington Station, New York</i> Number of ASMS: 3 Number of DMs: 5 Number of Associates: 82
<i>Store 361 – New York, New York</i> Number of ASMS: 9 Number of DMs: 17 Number of Associates: 134	<i>Store 16 – West Nyack, New York</i> Number of ASMS: 3 Number of DMs: 3 Number of Associates: 28
<i>Store 467 – Brooklyn, New York</i> Number of ASMS: 4 Number of DMs: 4 Number of Associates: 55	<i>Store 37 – Lake Grove, New York</i> Number of ASMS: 3 Number of DMs: 5 Number of Associates: 90
<i>Store 1194 – New York, New York</i> Number of ASMS: 4 Number of DMs: 1 Number of Associates: 45	<i>Store 40 – Albany, New York</i> Number of ASMS: 4 Number of DMs: 4 Number of Associates: 41
<i>Store 507 – Oceanside, New York</i> Number of ASMS: 3 Number of DMs: 3 Number of Associates: 67	<i>Store 42 – New York, New York</i> Number of ASMS: 12 Number of DMs: 18 Number of Associates: 294
<i>Store 754 – Plainview, New York</i> Number of ASMS: 3 Number of DMs: 3 Number of Associates: 49	<i>Store 105 – Manhasset, New York</i> Number of ASMS: 3 Number of DMs: 3 Number of Associates: 62
	<i>Store 112 – Rochester, New York</i> Number of ASMS: 3 Number of DMs: 0 Number of Associates: 27

¹ The data contained throughout this exhibit reflects the staffing levels as of March 2017.

Stores at which the ASM Declarants Worked During the Relevant Time Period ¹	Stores where the ASM Plaintiffs did not work and for which they Fail to Provide Any Evidence from During the Relevant Time Period, but where they Seek to have <u>Notice Sent</u>
	<i>Store 131 – Vestal, New York</i> Number of ASMS: 3 Number of DMs: 0 Number of Associates: 29
	<i>Store 135 – Rego Park, New York</i> Number of ASMS: 4 Number of DMs: 5 Number of Associates: 83
	<i>Store 140 – Cheektowaga, New York</i> Number of ASMS: 1 Number of DMs: 1 Number of Associates: 17
	<i>Store 180 – Greece, New York</i> Number of ASMS: 3 Number of DMs: 1 Number of Associates: 33
	<i>Store 247 – Elmsford, New York</i> Number of ASMS: 6 Number of DMs: 8 Number of Associates: 117
	<i>Store 260 – Westbury, New York</i> Number of ASMS: 6 Number of DMs: 9 Number of Associates: 124
	<i>Store 394 – Yonkers, New York</i> Number of ASMS: 3 Number of DMs: 4 Number of Associates: 62

Stores at which the ASM Declarants Worked During the Relevant Time Period ¹	Stores where the ASM Plaintiffs did not work and for which they Fail to Provide Any Evidence from During the Relevant Time Period, but where they Seek to have <u>Notice Sent</u>
	<i>Store 410 – Mohegan Lake, New York</i> Number of ASMS: 2 Number of DMs: 1 Number of Associates: 42
	<i>Store 448 – Elmira, New York</i> Number of ASMS: 1 Number of DMs: 1 Number of Associates: 21
	<i>Store 468 – Middletown, New York</i> Number of ASMS: 4 Number of DMs: 1 Number of Associates: 25
	<i>Store 469 – Mount Vernon, New York</i> Number of ASMS: 3 Number of DMs: 5 Number of Associates: 54
	<i>Store 511 – New Hartford, New York</i> Number of ASMS: 2 Number of DMs: 0 Number of Associates: 22
	<i>Store 515 – DeWitt, New York</i> Number of ASMS: 1 Number of DMs: 1 Number of Associates: 27
	<i>Store 528 – Liverpool, New York</i> Number of ASMS: 1 Number of DMs: 0 Number of Associates: 18

Stores at which the ASM Declarants Worked During the Relevant Time Period ¹	Stores where the ASM Plaintiffs did not work and for which they Fail to Provide Any Evidence from During the Relevant Time Period, but where they Seek to have <u>Notice Sent</u>
	<i>Store 532 – Amherst, New York</i> Number of ASMS: 3 Number of DMs: 0 Number of Associates: 37
	<i>Store 553 – East Elmhurst, New York</i> Number of ASMS: 3 Number of DMs: 4 Number of Associates: 53
	<i>Store 555 – Saratoga Springs, New York</i> Number of ASMS: 2 Number of DMs: 1 Number of Associates: 17
	<i>Store 565 – New York, New York</i> Number of ASMS: 9 Number of DMs: 13 Number of Associates: 139
	<i>Store 566 – Schenectady, New York</i> Number of ASMS: 2 Number of DMs: 1 Number of Associates: 18
	<i>Store 567 – Kingston, New York</i> Number of ASMS: 2 Number of DMs: 0 Number of Associates: 20
	<i>Store 619 – Plattsburgh, New York</i> Number of ASMS: 1 Number of DMs: 1 Number of Associates: 15

Stores at which the ASM Declarants Worked During the Relevant <u>Time Period</u> ¹	Stores where the ASM Plaintiffs did not work and for which they Fail to Provide Any Evidence from During the Relevant Time Period, but where they Seek to have <u>Notice Sent</u>
	<i>Store 629 – Farmingdale, New York</i> Number of ASMS: 3 Number of DMs: 3 Number of Associates: 45
	<i>Store 767 – Port Chester, New York</i> Number of ASMS: 3 Number of DMs: 1 Number of Associates: 40
	<i>Store 770 – East Northport, New York</i> Number of ASMS: 3 Number of DMs: 2 Number of Associates: 75
	<i>Store 781 – Poughkeepsie, New York</i> Number of ASMS: 3 Number of DMs: 1 Number of Associates: 29
	<i>Store 824 – Ithaca, New York</i> Number of ASMS: 1 Number of DMs: 1 Number of Associates: 18
	<i>Store 828 – Auburn, New York</i> Number of ASMS: 1 Number of DMs: 0 Number of Associates: 23
	<i>Store 829 – Newburgh, New York</i> Number of ASMS: 2 Number of DMs: 0 Number of Associates: 18

Stores at which the ASM Declarants Worked During the Relevant Time Period ¹	Stores where the ASM Plaintiffs did not work and for which they Fail to Provide Any Evidence from During the Relevant Time Period, but where they Seek to have <u>Notice Sent</u>
	<i>Store 843 – West Babylon, New York</i> Number of ASMS: 3 Number of DMs: 2 Number of Associates: 60
	<i>Store 850 – Bohemia, New York</i> Number of ASMS: 3 Number of DMs: 3 Number of Associates: 82
	<i>Store 1009 – Staten Island, New York</i> Number of ASMS: 3 Number of DMs: 1 Number of Associates: 33
	<i>Store 1015 – Staten Island, New York</i> Number of ASMS: 3 Number of DMs: 4 Number of Associates: 52
	<i>Store 1056 – Blasdell, New York</i> Number of ASMS: 3 Number of DMs: 0 Number of Associates: 32
	<i>Store 1059 – Williamsville, New York</i> Number of ASMS: 3 Number of DMs: 1 Number of Associates: 42
	<i>Store 1084 – Watertown, New York</i> Number of ASMS: 1 Number of DMs: 0 Number of Associates: 17

Stores at which the ASM Declarants Worked During the Relevant Time Period ¹	Stores where the ASM Plaintiffs did not work and for which they Fail to Provide Any Evidence from During the Relevant Time Period, but where they Seek to have <u>Notice Sent</u>
	<i>Store 1111 – Henrietta, New York</i> Number of ASMS: 2 Number of DMs: 2 Number of Associates: 28
	<i>Store 1120 – Spring Valley, New York</i> Number of ASMS: 3 Number of DMs: 2 Number of Associates: 30
	<i>Store 1208 – Batavia, New York</i> Number of ASMS: 1 Number of DMs: 1 Number of Associates: 18
	<i>Store 1230 – New Hyde Park, New York</i> Number of ASMS: 3 Number of DMs: 4 Number of Associates: 51
	<i>Store 1235 – Oneonta, New York</i> Number of ASMS: 1 Number of DMs: 0 Number of Associates: 17
	<i>Store 1236 – Canandaigua, New York</i> Number of ASMS: 1 Number of DMs: 0 Number of Associates: 20
	<i>Store 1241 – Syracuse, New York</i> Number of ASMS: 1 Number of DMs: 0 Number of Associates: 18

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	<i>Store 1243 – Glenmont, New York</i> Number of ASMS: 1 Number of DMs: 1 Number of Associates: 16
	<i>Store 1246 – Flushing, New York</i> Number of ASMS: 3 Number of DMs: 0 Number of Associates: 36
	<i>Store 1296 – Bronx, New York</i> Number of ASMS: 3 Number of DMs: 0 Number of Associates: 35
	<i>Store 1314 – Riverhead, New York</i> Number of ASMS: 3 Number of DMs: 1 Number of Associates: 43
	<i>Store 1346 – Victor, New York</i> Number of ASMS: 3 Number of DMs: 0 Number of Associates: 24
	<i>Store 1385 – Niagara Falls, New York</i> Number of ASMS: 1 Number of DMs: 0 Number of Associates: 17
	<i>Store 1408 – New York, New York</i> Number of ASMS: 3 Number of DMs: 0 Number of Associates: 22

Stores at which the ASM Declarants Worked During the Relevant <u>Time Period</u>¹	Stores where the ASM Plaintiffs did not work and for which they Fail to Provide Any Evidence from During the Relevant Time Period, but where they Seek to have <u>Notice Sent</u>
	<i>Store 1413 – Brooklyn, New York</i> Number of ASMS: 6 Number of DMs: 4 Number of Associates: 64

EXHIBIT 2

Stores at which the DM Declarants Worked <u>During the Relevant Time Period</u> ¹	Stores where the DM Plaintiffs did not Work and for which they Fail to Provide Any Evidence from during the Relevant Time Period, but where they Seek to <u>have Notice Sent</u>
<i>Store 42 – New York, New York</i> Number of ASMs: 12 Number of DMs: 18 Number of Associates: 294	<i>Store 3 – Huntington Station, New York</i> Number of ASMs: 3 Number of DMs: 5 Number of Associates: 82
<i>Store 361 – New York, New York</i> Number of ASMs: 9 Number of DMs: 17 Number of Associates: 134	<i>Store 16 – West Nyack, New York</i> Number of ASMs: 3 Number of DMs: 3 Number of Associates: 28
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	<i>Store 467 – Brooklyn, New York</i> Number of ASMs: 4 Number of DMs: 4 Number of Associates: 55
	<i>Store 1194 – New York, New York</i> Number of ASMs: 4 Number of DMs: 1 Number of Associates: 45
	<i>Store 507 – Oceanside, New York</i> Number of ASMs: 3 Number of DMs: 3 Number of Associates: 67
	<i>Store 754 – Plainview, New York</i> Number of ASMs: 3 Number of DMs: 3 Number of Associates: 49
	<i>Store 1023 – Fairfield, Connecticut</i> Number of ASMs: 3 Number of DMs: 0 Number of Associates: 34
	<i>Store 5 – Danbury, Connecticut</i> Number of ASMs: 3 Number of DMs: 1 Number of Associates: 38

Stores at which the DM Declarants Worked <u>During the Relevant Time Period</u> ¹	Stores where the DM Plaintiffs did not Work and for which they Fail to Provide Any Evidence from during the Relevant Time Period, but where they Seek to <u>have Notice Sent</u>
	<i>Store 785 – Wethersfield, Connecticut</i> Number of ASMs: 3 Number of DMs: 2 Number of Associates: 32
	<i>Store 837 – Brookfield, Connecticut</i> Number of ASMs: 3 Number of DMs: 1 Number of Associates: 37
	<i>Store 239 – Farmington, Connecticut</i> Number of ASMs: 3 Number of DMs: 2 Number of Associates: 36
	<i>Store 193 – Milford, Connecticut</i> Number of ASMs: 3 Number of DMs: 1 Number of Associates: 37
	<i>Store 12 – Norwalk, Connecticut</i> Number of ASMs: 3 Number of DMs: 5 Number of Associates: 63
	<i>Store 6 – Stamford, Connecticut</i> Number of ASMs: 3 Number of DMs: 6 Number of Associates: 57
	<i>Store 621 – Southington, Connecticut</i> Number of ASMs: 2 Number of DMs: 0 Number of Associates: 19

Stores at which the DM Declarants Worked <u>During the Relevant Time Period</u> ¹	Stores where the DM Plaintiffs did not Work and for which they Fail to Provide Any Evidence from during the Relevant Time Period, but where they Seek to <u>have Notice Sent</u>
	<i>Store 1174 – Enfield, Connecticut</i> Number of ASMs: 2 Number of DMs: 1 Number of Associates: 21
	<i>Store 597 – Shelton, Connecticut</i> Number of ASMs: 2 Number of DMs: 0 Number of Associates: 25
	<i>Store 1238 – Waterford, Connecticut</i> Number of ASMs: 1 Number of DMs: 1 Number of Associates: 14
	<i>Store 521 – Hamden, Connecticut</i> Number of ASMs: 2 Number of DMs: 1 Number of Associates: 22
	<i>Store 311 – Simsbury, Connecticut</i> Number of ASMs: 2 Number of DMs: 1 Number of Associates: 26
	<i>Store 453 – Manchester, Connecticut</i> Number of ASMs: 3 Number of DMs: 2 Number of Associates: 31
	<i>Store 1417 – Guilford, Connecticut</i> Number of ASMs: 2 Number of DMs: 1 Number of Associates: 18

Stores at which the DM Declarants Worked <u>During the Relevant Time Period</u> ¹	Stores where the DM Plaintiffs did not Work and for which they Fail to Provide Any Evidence from during the Relevant Time Period, but where they Seek to <u>have Notice Sent</u>
	<i>Store 1219 – Torrington, Connecticut</i> Number of ASMs: 2 Number of DMs: 1 Number of Associates: 17
	<i>Store 1276 – Dayville, Connecticut</i> Number of ASMs: 1 Number of DMs: 0 Number of Associates: 18
	<i>Store 316 – North Brunswick, New Jersey</i> Number of ASMs: 3 Number of DMs: 1 Number of Associates: 28
	<i>Store 389 – Mays Landing, New Jersey</i> Number of ASMs: 4 Number of DMs: 0 Number of Associates: 29
	<i>Store 788 – Mt. Laurel, New Jersey</i> Number of ASMs: 4 Number of DMs: 2 Number of Associates: 30
	<i>Store 115 – Edgewater, New Jersey</i> Number of ASMs: 3 Number of DMs: 2 Number of Associates: 31
	<i>Store 224 – Brick, New Jersey</i> Number of ASMs: 3 Number of DMs: 1 Number of Associates: 45

Stores at which the DM Declarants Worked <u>During the Relevant Time Period</u> ¹	Stores where the DM Plaintiffs did not Work and for which they Fail to Provide Any Evidence from during the Relevant Time Period, but where they Seek to <u>have Notice Sent</u>
	<i>Store 207 – Deptford, New Jersey</i> Number of ASMs: 3 Number of DMs: 2 Number of Associates: 47
	<i>Store 7 – Lawrenceville, New Jersey</i> Number of ASMs: 3 Number of DMs: 3 Number of Associates: 42
	<i>Store 303 – Watchung, New Jersey</i> Number of ASMs: 3 Number of DMs: 3 Number of Associates: 48
	<i>Store 1318 – Toms River, New Jersey</i> Number of ASMs: 3 Number of DMs: 0 Number of Associates: 51
	<i>Store 1096 – Clifton, New Jersey</i> Number of ASMs: 3 Number of DMs: 4 Number of Associates: 48
	<i>Store 266 – Eatontown, New Jersey</i> Number of ASMs: 3 Number of DMs: 2 Number of Associates: 44
	<i>Store 534 – Manalapan, New Jersey</i> Number of ASMs: 3 Number of DMs: 3 Number of Associates: 41

Stores at which the DM Declarants Worked <u>During the Relevant Time Period</u> ¹	Stores where the DM Plaintiffs did not Work and for which they Fail to Provide Any Evidence from during the Relevant Time Period, but where they Seek to <u>have Notice Sent</u>
	<i>Store 27 – Cherry Hill, New Jersey</i> Number of ASMs: 3 Number of DMs: 3 Number of Associates: 50
	<i>Store 627 – Jersey City, New Jersey</i> Number of ASMs: 4 Number of DMs: 3 Number of Associates: 43
	<i>Store 252 – Bridgewater, New Jersey</i> Number of ASMs: 3 Number of DMs: 5 Number of Associates: 55
	<i>Store 159 – East Hanover, New Jersey</i> Number of ASMs: 3 Number of DMs: 9 Number of Associates: 65
	<i>Store 1 – Springfield, New Jersey</i> Number of ASMs: 5 Number of DMs: 5 Number of Associates: 68
	<i>Store 160 – Iselin, New Jersey</i> Number of ASMs: 3 Number of DMs: 6 Number of Associates: 72
	<i>Store 1019 – Paramus, New Jersey</i> Number of ASMs: 3 Number of DMs: 7 Number of Associates: 85

Stores at which the DM Declarants Worked <u>During the Relevant Time Period</u> ¹	Stores where the DM Plaintiffs did not Work and for which they Fail to Provide Any Evidence from during the Relevant Time Period, but where they Seek to <u>have Notice Sent</u>
	<i>Store 477 – Totowa, New Jersey</i> Number of ASMs: 4 Number of DMs: 8 Number of Associates: 72
	<i>Store 616 – Newton, New Jersey</i> Number of ASMs: 2 Number of DMs: 1 Number of Associates: 15
	<i>Store 755 – Parsippany, New Jersey</i> Number of ASMs: 2 Number of DMs: 1 Number of Associates: 17
	<i>Store 1079 – Aberdeen, New Jersey</i> Number of ASMs: 2 Number of DMs: 1 Number of Associates: 24
	<i>Store 842 – Howell, New Jersey</i> Number of ASMs: 2 Number of DMs: 1 Number of Associates: 24
	<i>Store 1192 – Sewell, New Jersey</i> Number of ASMs: 2 Number of DMs: 2 Number of Associates: 21
	<i>Store 1091 – Rio Grande, New Jersey</i> Number of ASMs: 2 Number of DMs: 1 Number of Associates: 20

Stores at which the DM Declarants Worked <u>During the Relevant Time Period</u> ¹	Stores where the DM Plaintiffs did not Work and for which they Fail to Provide Any Evidence from during the Relevant Time Period, but where they Seek to <u>have Notice Sent</u>
	<i>Store 1040 – Manahawkin, New Jersey</i> Number of ASMs: 1 Number of DMs: 2 Number of Associates: 25
	<i>Store 1039 – Kinnelon, New Jersey</i> Number of ASMs: 3 Number of DMs: 1 Number of Associates: 29
	<i>Store 289 – Middletown, New Jersey</i> Number of ASMs: 3 Number of DMs: 2 Number of Associates: 36
	<i>Store 401 – Ramsey, New Jersey</i> Number of ASMs: 3 Number of DMs: 1 Number of Associates: 34
	<i>Store 348 – Marlton, New Jersey</i> Number of ASMs: 3 Number of DMs: 1 Number of Associates: 28
	<i>Store 423 – Flanders, New Jersey</i> Number of ASMs: 3 Number of DMs: 1 Number of Associates: 37
	<i>Store 1309 – Hamilton, New Jersey</i> Number of ASMs: 3 Number of DMs: 0 Number of Associates: 32

Stores at which the DM Declarants Worked <u>During the Relevant Time Period</u> ¹	Stores where the DM Plaintiffs did not Work and for which they Fail to Provide Any Evidence from during the Relevant Time Period, but where they Seek to <u>have Notice Sent</u>
	<i>Store 1017 – Rockaway, New Jersey</i> Number of ASMs: 3 Number of DMs: 0 Number of Associates: 26
	<i>Store 1311 – Flemington, New Jersey</i> Number of ASMs: 3 Number of DMs: 0 Number of Associates: 28
	<i>Store 258 – Elizabeth, New Jersey</i> Number of ASMs: 3 Number of DMs: 1 Number of Associates: 49
	<i>Store 509 – Vineland, New Jersey</i> Number of ASMs: 1 Number of DMs: 1 Number of Associates: 10
	<i>Store 9 – Paramus, New Jersey</i> Number of ASMs: 4 Number of DMs: 10 Number of Associates: 123